



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 19, 1998

Salt Lake County Planning Commission
2001 South State Street, Suite N3600
Salt Lake City, Utah 84190-4050

Re: Review Comments of County Conditional Use Permit Application # PL-97-2265,
Corporation of the Presiding Bishop, Little Cottonwood Canyon Mineral (Granite
Boulder) Extraction Proposal, S/035/017, Salt Lake County, Utah

Dear Sirs:

Thank you for the opportunity to provide comments on the County Use permit application as provided by the Corporation of the Presiding Bishop for their proposed Little Cottonwood Canyon Mineral Extraction Project. The Division of Oil, Gas and Mining received no formal solicitation or request for review comments. However, we learned of the March 19, 1998 deadline for receipt of all public comments during our attendance of a public meeting/hearing on the project held at the Granite Elementary School on March 18, 1998. After speaking with Ms. Susan Crook, planner for Salt Lake County, we were encouraged to provide any comments and/or a recommendation we may have by the established deadline.

The Division has performed a preliminary evaluation of the original application which we requested and received from the Salt Lake County planning office on March 12, 1998. Our comments are as follows:

General comment:

We did not have a copy of the August 1997(?), "Submittal Requirements for Review of Proposals in the Foothills and Canyon Overlay Zone", Salt Lake County Ordinance (Chapter 19, Section 72?) to review against the application or compare against our rules. We have requested a copy of this ordinance from your office for future reference. Hence our comments are more general in nature and may be more directly applicable to the State mining law and regulations.

Review comments:

- To date, the applicant/operator (Corporation of the Presiding Bishop) has not filed a permit application with our office as required under the Utah Mined Land Reclamation Act (MLRA), Utah Code Ann. § 40-8-1 - 23, and its interpretive Minerals Rules R647-1 through R647-5 et seq. The MLRA applies to all lands within Utah (with few exceptions) including *private* land and those lands owned, managed or controlled by other federal, and state agencies. We have recently been advised by the applicant that a Notice of Intention to Commence Small Mining Operations will be delivered to our office shortly. We require a minimum of 15 days to process a Small Mining Notice.

Therefore, we would request that the Commission attach a stipulation to the Conditional Use Permit that requires the applicant to obtain the appropriate permit from the Utah State Division of Oil, Gas and Mining before they begin mining operations on the project area. Other state, federal and local permits or clearances may also be required by other regulatory agencies (eg., Utah Division of Water Quality, Division of Air Quality, Utah State Industrial Commission, Mine Safety and Health Administration (MSHA), County Health Department, etc.)

- The map that was provided in the copy of the county permit application we received does not provide sufficient detail to meet the State permitting requirements. The project location area is not clearly identified to a suitable scale, nor are the affected areas clearly identified and labeled on the map. Previously mined or impacted areas should also be identified on the map/drawing. *We understand that revised and detailed design drawings of the project area may have been provided to the County Planning Office very recently. We will request that the operator attach copies of these design drawings to their state mine permit application.* (R647-3-105)
- Our copy of the county application does not identify (in the text or on the location map) the proposed project surface disturbance. This would enable us to clearly determine if this is indeed a small mining operation (5 or less acres of disturbance) or a large mining operation (>5 acres of surface disturbance). (R647-3-105)
- The application does not identify the width of the proposed access paths/roads to be constructed and the map does not clearly show the proposed location of these facilities. (R647-3-106)
- The application does not contain a statement that the operator agrees to conduct his mining operations in accordance with the Division's Operational, Hole Plugging and

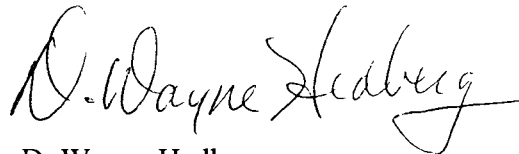
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Reclamation Practices performance standards (R647-3-107, R647-3-108 and R647-3-109). Detailed plans to address these requirements would also meet this requirement. Our copy of the county application does not contain sufficient detailed information to meet these regulatory requirements.

- The application does not contain any variance requests to the Division's performance standards (R647-3-107, 108, or 109), therefore we would assume that all of the standards will be met by the operator.
- A premining vegetative survey of the proposed area to be impacted should be conducted. This will enable the operator to demonstrate that they have achieved the states minimum postmining revegetation standard (70% of the premining cover).

Again thank you for the opportunity to provide comment on this application. We would appreciate being notified of any future applications your office may receive that involve the mining or development of mineral resources in Salt Lake County. Please add us to your mailing list for copies of such notices.

Sincerely,

A handwritten signature in cursive script that reads "D. Wayne Hedberg". The signature is written in dark ink and is positioned above the printed name.

D. Wayne Hedberg
Permit Supervisor
Minerals Reclamation Program

jb
cc: Kerry Nielson, Corp. Presiding Bishop
Mary Ann Wright, DOGM
s035017.cty